



cleanup news

inside

Spotlight CASES	3
Highlights Guam UST Facilities Fined Power of Change	4
OSWER News RCRA CA Conference	5
In the Courts Non-Settlor Challenges U.S. Responsible for Costs	6
Tidbits Performance Track Compost Awareness	7
Calendar Glossary	8

National Award Recipients Honored

EPA recognized the achievements of individuals and teams in Regional waste management programs at the Notable Achievement Awards ceremony on April 27, 2004. Thirty-three awards were presented in 10 categories including Superfund, Superfund Enforcement, and RCRA Corrective Action. Other award categories include Assistant Administrators Priorities, Brownfields, Chemical Emergency Preparedness and Prevention Office, Federal Facilities Response, Regional

Science, Resource Conservation, and the Underground Storage Tank Program.

Attending her last ceremony as Assistant Administrator (AA) of OSWER, Marianne Horinko gave a welcome speech and presented the Assistant Administrator's Priorities Award to Charles K. Eger for his work for Operation River City, a 60-hour mock terrorism exercise conducted last year in Louisville, Kentucky.

The Acting AA of the Office of Enforcement and Compliance Assurance, Thomas V. Skinner, intro-

continued on page 2

EPA Releases Guidance on Ability to Pay and *De Minimis* Amendments

By Susan Boushell, Office of Site Remediation Enforcement

On May 17, 2004, EPA issued the Interim Guidance on the Ability to Pay and *De Minimis* Revisions to CERCLA § 122(g) by the Small Business Liability Relief and Brownfields Revitalization Act. This guidance addresses changes made to CERCLA § 122(g) by the 2002 Brownfields Amendments, which generally fall into two categories: 1) those that apply to potentially responsible parties (PRPs) that are *de minimis* and demonstrate a limited ability, or

inability, to pay their entire liability at a site; and 2) those that apply to all *de minimis* parties regardless of their financial status.

First, the guidance discusses existing EPA policy regarding ability to pay (ATP) and *de minimis* parties. The guidance clarifies that, for the most part, the ATP and *de minimis* amendments to Section 122(g) do not change EPA's existing guidances and, therefore, these documents will remain in effect.

Second, the guidance discusses the ATP amendments and their relation-

continued on page 3



CleanupNews is a quarterly newsletter highlighting hazardous waste cleanup cases, policies, settlements and technologies.

duced the four awards in the Superfund Enforcement category, which were presented by Elliott Gilberg, Deputy Director of the Office of Site Remediation Enforcement. Mike Stephenson of Region 4 was honored with the Legal Enforcer of the Year Award. As the lead Regional attorney, Mike was instrumental in achieving a consent decree (CD) for the complex Anniston PCB Superfund Site in Anniston, Alabama. The settlement provides for funding of a \$3.2 million educational foundation for children, conduct of both a time-critical and a non-time critical removal action, and completion of a remedial investigation/feasibility study.

Cliff Davis, a Civil Investigator for Region 9's Superfund Program, received the Technical Enforcer of the Year Award. In FY03, Cliff provided enforcement support services at eight Superfund sites, provided financial assurance training and financial consultation services, and developed an innovative enforcement system that combines data from several databases. Cliff also was recognized for mentoring new staff, participating in national workgroups, and managing Region 9's Superfund enforcement support contract.

Linda Baric and Barbara Borden, the Region 3 Office of the Controller Superfund State Contracts (SSC) Team, won the Financial Management Team of the Year Award. Region 3 ranks number one among all EPA regions for SSC revenue utilization and manages the second largest number of SSC accounts and dollars. The Region 3 Team developed the Superfund State Contract Billing System (SSCBS) to track and manage accounts receivables from Superfund Sites. The team also developed an SSC spreadsheet to manage SSC revenue and report on progress that has been adopted by EPA HQ for use na-



Elliott Gilberg presents the Legal Enforcer of the Year Award to Mike Stephenson, Region 4, for his work at the Anniston PCB Site in Anniston, Alabama. Also pictured are Marianne Horinko and Thomas V. Skinner (far right)

tionwide. The SSCBS helped the Region 3 SSC Team collect \$49.2 million in revenue.

The NL/Taracorp Enforcement Team (Brad Bradley, Sheri Bianchin, and Larry Johnson) of Region 3 received the Enforcement Team of the Year Award. The Team successfully negotiated three major CDs, valued at over \$63,000,000, for the NL/Taracorp

Superfund Site in Granite City, Illinois. Because of the Team's efforts, the cleanup of 1,600 lead-contaminated residential yards and the \$2 million in funding for a lead paint abatement program in homes near the site is assured.

For more information on the Notable Achievement Awards visit: <http://www.clu-in.org/awards/> or contact Ann Eleanor, (703) 603-7199.

Want to join us in conserving paper?

Sign-up to receive **CleanupNews** by email!
It's fast and simple.

Go to the **CleanupNews** page at: <http://www.epa.gov/compliance/resources/listserv/cleanup.html>, enter your email address, and click "Submit." When a new issue of **CleanupNews** comes out, you'll receive it in HTML—right to your desktop!

Note: Signing up for electronic issues does not automatically cancel your hard copy subscription. Send hard copy subscription change requests to anne.politis@dpra.com.

“Smart Enforcement” Strategy Announced

By Tricia Buzzell, Office of Site Remediation Enforcement

At the recent National RCRA Corrective Action Conference in Orlando, Florida, Steve Shimberg, Associate Assistant Administrator of EPA’s Office of Enforcement and Compliance Assurance (OECA), announced a new targeted strategy to better control human exposure at or near hazardous waste facilities that were identified as high priorities for cleanup in 1999. The Corrective Action Smart Enforcement Strategy (CASES) is one of several approaches EPA is using to get almost 2,000 facilities to address contamination that is potentially harmful to human health. CASES is a strategy to ensure that EPA is using its enforcement authorities, where appropriate, to meet performance goals.

CASES focuses efforts on meeting the human exposure environmental indicator (EI) goal because it directly relates to protection of public health. There is little room for slippage in the projections for achieving this indica-

tor by 2005.

The strategy applies the elements of EPA’s Smart Enforcement initiative to a specific task. As Shimberg stated in

CASES is a strategy to ensure that EPA is using its enforcement authorities, where appropriate, to meet performance goals.

his remarks at the conference, “Targeting enforcement attention to the situations where it can really help move cleanups along, and exercising flexibility in what tools we use, is what Smart Enforcement is all about and is the way we will be doing business.”

CASES is truly a targeted approach aimed at success. EPA developed a list of 16 candidate facilities after reviewing several factors, including when the facilities were projected to meet the human health EI and whether EPA had the lead for making the EI determination. EPA then further refined the list by removing sites that were clearly unable to meet the EI due to site specific issues unrelated to compliance –

for example, complex technical factors.

OECA is working closely with the EPA Regional offices to develop and implement facility-specific plans for these 16 targeted facilities. The plans vary widely, reflecting CASES’ flexible approach to enforcement. EPA believes that even with a relatively low level of effort (and possibly without even a formal enforcement action), the enforcement program can have a significant impact on meeting the 2005 Corrective Action performance goals. According to Shimberg, “CASES is already starting to have a real impact at sites. We have issued several orders under the strategy and already are starting to see more cleanup. At some facilities where we merely considered enforcement, companies got the message and agreed to clean up voluntarily.”

For more information about Corrective Action enforcement, see the compliance website at: <http://www.epa.gov/compliance/cleanup/rcra/index.html>.

Guidance, continued from page 1

ship to EPA’s existing ATP policy. The amendments specifically authorize EPA to negotiate settlements based on a PRP establishing an inability or limited ATP rather than on its full liability at the site, and require ATP applicants to promptly provide EPA with the information necessary for the Agency to assess the PRP’s inability or limited ATP. The amendments also direct EPA to consider appropriate alternative payment methods when ATP PRPs are unable to pay the “total settlement amount at the time of settlement.”

Third, the guidance explains the *de minimis* amendments and their im-

act on EPA’s existing policy. Under these amendments, EPA will:

- Determine if a PRP is eligible or ineligible for a CERCLA §122(g) settlement
- Notify a PRP of a *de minimis* eligibility determination
- Consider a PRP’s degree of cooperation when making a settlement eligibility determination
- Impose a waiver of claims requirement on CERCLA § 122(g) settlers
- Impose on settlers a continuing obligation of cooperation at the site
- Notify non-settlers about a final CERCLA §122(g) settlement

Finally, the guidance provides four

model notice letters for use by Regional staff. Two of the model letters, “Model Notice of Eligibility to Receive a *De Minimis* Party Settlement” and “Model Notice of Ineligibility to Receive a *De Minimis* Party Settlement”, apply to all *de minimis* parties. The “Model Notice Approving Reduction in Settlement Amount Based on Inability to Pay” and the “Model Notice Denying Reduction in Settlement Amount Based on Inability to Pay” specifically address ATP.

The guidance and models are available at <http://www.epa.gov/compliance/resources/policies/cleanup/superfund/>.

For additional information, contact Susan Boushell, OSRE (202) 564-2173.

Four Guam Facilities Fined for Underground Storage Tank Violations

In February 2004, EPA issued field citations resulting in total fines of \$1,800 to four Guam facilities for federal underground storage tank (UST) violations. These facilities are the AAFES Service Station at Anderson Air Force Base, the Hotel Palmridge, the MCI Agana, and the Tumon Bay Capital Hotel. The violations included failure to properly maintain release detection systems, failure to give Guam EPA 30 days notice prior to bringing an UST system into use, failure to install overfill prevention equipment on existing tanks, and failure to obtain adequate pollution insurance.

EPA and Guam EPA intend to inspect all UST systems in Guam by 2005 to make sure that the systems can prevent and detect leaks and releases to the environment. Because Guam has a limited fresh water supply, ensuring safe, reliable UST system operation is critical.

EPA imposed the Guam fines under the UST federal field citation program, which encourages EPA to issue field citations to address com-

mon, easily corrected violations that carry a penalty. The Office of Underground Storage Tanks (OUST) established a framework for addressing specific UST viola-

“Owners and operators who fail to settle a field citation could receive penalties up to \$11,000 per violation per tank per day in addition to the costs associated with the cleanup of leaking tanks.”

tions with field citations. The framework, outlined in the Federal Field Citation Enforcement Guidance (April 1992, Revised October 1993), establishes the scope and procedures for issuing field citations. For example, facilities cited for violations have 30 days from the date of issuance to pay fines. Within that 30-day period, facility owners and/or operators must perform and document any necessary corrective action. If either compliance is not achieved or payment is not made within that 30-day period, or an extension has not been obtained, the field citation is automatically withdrawn, leaving EPA free to pursue additional en-

forcement measures with potentially much higher fines. Owners and operators who fail to settle a field citation could receive penalties up to \$11,000 per violation per tank per day in addition to the costs associated with the cleanup of leaking tanks.

EPA’s use of field citations expedites the enforcement process for these targeted violations. Field citations are issued on-site, with a minimum of legal paperwork and procedural requirements. This allows EPA to concentrate enforcement staff time and resources on addressing releases or violations that can not be addressed through the field citation program. In addition to EPA and state resources, the field citation program also saves owners and operators time and resources. Rather than spending money on the litigation process, the owners and operators focus on correcting the violation and achieving compliance.

For further information, contact Norwood Scott, EPA Region 9, (415) 972-3373.

Power of Change: A New Education Campaign for Older Americans

EPA’s Office of Solid Waste and Emergency Response (OSWER) launched a new education campaign, called the Power of Change, on April 14, 2004, at the Joint Conference of the American Society on Aging and the National Coalition on Aging in San Francisco, CA. The Power of Change will help older Americans learn how to reduce waste and make better environmental decisions.

The campaign is part of EPA’s Resource Conservation Challenge, a nationwide program finding more effective ways to reduce waste by conserving natural resources and energy. The Power of Change is also part of the Agency’s Aging Initiative, which is intended to improve the health of older Americans.

The Power of Change campaign offers a tool kit that provides infor-

mation on making good environmental decisions when moving, traveling, and using health care products. The resources offered in the Power of Change tool kit can be ordered or downloaded directly from <http://www.epa.gov/epaoswer/aging/index.htm>

For more information, contact Diane Bartosh, Office of Solid Waste (703)-308-7895.

National Corrective Action Conference, Orlando, FL - May 11-12, 2004

By Karen Tomimatsu, Office of Solid Waste

Over 350 people representing states, EPA regions, consultants and industries gathered in Orlando, Florida for the annual National Corrective Action Conference. Marianne Horinko, Assistant Administrator for the Office of Solid Waste and Emergency Response, gave the keynote address announcing the 2020 RCRA Corrective Action Challenge. Horinko said, "Cleaning up more than 3800 sites with a RCRA corrective action obligation is no small matter, but I believe the RCRA clean-up program can be reshaped to achieve that goal. The 2020 Challenge is forcing us to rethink how we implement the corrective action program, and we have to look far beyond the traditional corrective action process, and consider novel approaches in a way we never have before. We need to pursue innovative ideas such as self-implemented, self-certified cleanups with audits – a 'trust but verify' model; use of third party professionals to oversee clean-up processes; enrollment of RCRA facilities in streamlined state response programs; and development of an 'oversight light' model that outlines a few key check-in points where discussion of clean-up decisions may be important."

Ms. Horinko presented awards to companies who recently took the Environmental Indicator (EI) Pledge: BeazerEast, Inc., Dow Chemical Company, Dupont Engineering, Koppers, Inc., and Safety-Kleen. By taking the EI pledge, these companies have committed to achieving "yes" determinations for both human exposure and migration of contaminated groundwater EIs at all of their facilities by September 30, 2005. These companies are considered model partners with EPA and the states in working to help achieve important RCRA cleanup goals.



Dwight Bedsole, representing Dow Chemical Company, accepts EPA's Environmental Indicator Pledge Certificate from Marianne Horinko, Assistant Administrator, Office of Solid Waste and Emergency Response

The following industry, state and regional programs also were recognized.

- Hamilton Sundstrand facility, in Denver, CO, received the Industry EI Leadership Award for rapidly addressing residential indoor air contamination and groundwater contamination.
- The New York State Department of Environmental Conservation received the State EI Leadership Award for their consistent leadership in the corrective action program. They were particularly successful in attaining positive EI determinations for high-priority facilities in New York.
- The Dow Chemical Company received the Industry Streamlining Award for their work at their site in Gales Ferry, CT. This facility moved from starting the investigation to remedy selection in 6.5 years. Dow also created a standing Citizen's Advisory Panel to involve community stakeholders at the site.
- The Virginia Department of Environmental Quality received the State Streamlining Corrective Action Award for their outstanding leadership in implementing the corrective action program, embracing RCRA Reforms, and for setting the standard for an effective federal-state partnership.

"Cleaning up more than 3800 sites with a RCRA corrective action obligation is no small matter, but I believe the RCRA clean-up program can be reshaped to achieve that goal."

-Marianne Horinko, Assistant Administrator for the Office of Solid Waste and Emergency Response

continued on page 6



Corrective Action continued from page 5

- EPA Region 7 received the Regional EI Leadership Award. Region 7 made excellent progress in meeting EI goals, with projected expectations of reaching between 98-99 percent for the human exposure EI and over 80 percent for the groundwater migration under control EI by the end of 2005.
- EPA Region 9 received the Regional Leadership in Streamlining Corrective Action Award. While facing major challenges at some of their largest facilities, dedicated personnel conducted significant streamlining efforts to maximize environmental results in both EI and final cleanups.

EPA, in consultation with the states, is developing a comprehensive implementation strategy for the 2020 Challenge. Participants attended workgroup sessions in which they brainstormed the “top four things needed to achieve the 2020 Challenge,” and the “top two things that need to be done to meet the 2020 Challenge.” The strategy will be available later this year.

All conference presentations and abstracts will soon be available at: <http://www.nationalcaconf.com>.

For further information contact Karen Tomimatsu, OSW, (703) 605-0698.

Courts Differ on Non-Settlor Challenges to Consent Decrees

By David Dowton, Office of Site Remediation Enforcement

Two recent decisions highlight the difference of opinion regarding a non-settling party’s right to intervene and challenge a lodged consent decree

(CD). In *United States v. Acorn Engineering*, 2004 U.S. Dist. LEXIS 8282 (C.D. Ca., Mar. 23, 2004), a California district court denied Carrier Corporation’s motion to intervene and challenge the fairness of the CD lodged for the Puente Valley Operable Unit of the San Gabriel Valley Site. The district court held that a non-settling potentially-responsible party’s (PRP) contribution claim does not provide a right to intervene under CERCLA or the Federal Rules of Civil Procedure. The court reasoned that allowing non-settlers to intervene would undermine one of CERCLA’s main goals to encourage settlement. The court noted that the notice and comment procedures found in Section 122(d)(2) of CERCLA are the proper avenue for a non-settling PRP to raise concerns regarding the consent decree.

Reaching the opposite conclusion, a New York district court held in *United States v. City of Glen Cove*, 2004 U.S. Dist. LEXIS 7496 (E.D.N.Y., April 29, 2004), that a non-settling PRP’s contribution claim did give it an interest in the action as the public review and comment process did not adequately protect its interest. The non-settling PRP, TDY Industries, brought a contribution claim against a number of Federal PRPs. Subsequently, the United States entered into a CD with a private party, a municipality and the Federal PRPs. TDY moved to intervene and challenge the CD arguing that entry of the CD would extinguish its contribution claims against the Federal PRPs. The court acknowledged that most jurisdictions have found that a loss of a contribution right is not enough to warrant intervention, but elected to align itself with the Eighth Circuit Court of Appeals that has held that a contribution right is enough to warrant intervention if the settlement purports to cut off the rights of a party not present in the litigation. The court noted that interven-

tion was particularly appropriate in this case since “the federal government was on both sides of the negotiation table and essentially reached a settlement with itself.”

For further information, contact David Dowton, OSRE, (202) 564-4228

U.S. Held Responsible for Superfund Costs at DuPont Site in Morgantown, WV

By David Dowton, Office of Site Remediation Enforcement

In *DuPont v. United States*, 2004 U.S. App. LEXIS 8368 (Fed. Cir., Apr. 28, 2004), the Court of Appeals for the Federal Circuit has ruled that the U.S. must reimburse DuPont for Superfund costs incurred by DuPont to investigate and clean up a munitions plant in Morgantown, WV.

In 1940, the U.S. contracted with DuPont to design, construct and operate a munitions plant in Morgantown. The contract included an indemnification clause protecting DuPont from any loss, expense, or damage arising out of, or in connection with, the performance of work under the contract. In 1946, the U.S. terminated the contract and entered into a supplemental agreement with DuPont that preserved the indemnification clause.

More than 50 years later, DuPont brought an action to recover costs incurred under CERCLA. The Court of Federal Claims held that, although the

U.S. agreed to indemnify DuPont, the open-ended indemnification clause violated the Anti-Deficiency Act and barred any recovery. (The Anti-Deficiency Act prohibits an executive agency from entering into a contract for future payment of money in excess of the congressional appropriation for that fiscal year unless the contract is authorized by law.) The Court of Appeals reversed holding that, in this particular case, the Contract Settlement Act of 1944, which allowed the military to terminate the bulk of its contract duties entered into during World War II, authorized the U.S. to preserve the indemnification clause.

The Court went on to find that the indemnification clause was written broadly enough to include the costs of future environmental liability. The decision means the U.S. will have to reimburse DuPont for investigating and cleaning up the site. The Court remanded the case to the trial court for an exact cost determination, but it is believed DuPont incurred roughly \$2 million in costs at the site.

The decision could potentially subject the U.S. to similar claims at the many other plants operated during World War II.

For further information, contact David Downton, OSRE, (202) 564-4228

Performance Track Rule Increases Participant Incentives

On April 14, 2004, EPA Administrator Mark Leavitt signed the Performance Track Rule, expanding the administrative and regulatory incentives of this voluntary, performance-based environmental compliance program. The rule builds on the incen-

tives already offered by the National Environmental Performance Track program, begun in 2000 and managed by EPA's National Center for Environmental Innovation.

The rule, proposed in August 2002, became effective on April 22, 2004. It states that facilities participating in the Performance Track program are not required to submit reports under the Maximum Achievable Control Technology (MACT) provisions of the Clean Air Act as frequently as non-participants. In addition, participants who are large quantity hazardous waste generators and meet specific conditions are now allowed to accumulate hazardous waste for up to 180 days without a RCRA permit or interim status. Generators having to transport hazardous waste over 200 miles for disposal are allowed up to 270 days to accumulate waste under this rule.

Currently, the Performance Track program has 344 members. To qualify as a participant in the program, each member must meet the following criteria: have implemented an Environmental Management System; have demonstrated past, current, and future commitment to environmental improvements, public outreach and reporting; and have demonstrated certification of and commitment to environmental compliance.

The benefits of participating in this program include: public recognition by EPA through awards, website listings, and networking opportunities; increased information exchange to improve environmental performance via seminars, roundtable discussions, and mentoring programs; and administrative and regulatory incentives, such as decreased priority of participant facilities for routine inspections and more flexible permitting procedures.

More information on the National Environmental Performance Track program can be found on EPA's website: <http://www.epa.gov/performance-track/index.htm>.

Raising Compost Awareness

During May 2-8, 2004, the US Composting Council, a national non-profit organization, promoted International Compost Awareness Week to raise awareness of composting as an effective way to reduce municipal solid waste (MSW) destined for landfills. Composting advocacy groups in the US and Canada held a variety of community events, including compost give-aways, sales, and demonstrations to raise awareness.

Composting is a natural method of recycling organic wastes (e.g., yard trimmings and kitchen wastes). Through controlled decomposition, utilizing time, heat and microorganisms, these wastes are diverted from the waste stream and converted into compost, a soil enhancement that can be used in gardens and landscaping. Many kinds of household wastes including yard trimmings; food scraps (e.g., fruit and vegetable wastes, egg shells, coffee grounds); fireplace ash; and even wool or cotton rags can be composted. Food scraps and yard trimmings make up approximately 25 percent of all household waste, while 67 percent of the total MSW generated in the U.S. can be composted. This means that composting can significantly reduce the total amount of MSW going to landfills.

Compost has several uses including bioremediation and pollution prevention, suppression of plant diseases, pest and erosion control, landscaping, reforestation, and wetlands and habitat restoration. The use of compost reduces the need for expensive chemical fertilizers and pesticides, increases the health and longevity of plants, and increases the conservation of natural resources.

From individual backyard compost heaps to community-wide compost drop-off facilities, there are many ways to participate in composting to reduce municipal waste.

For more information on composting, see EPA's website: <http://www.epa.gov/epaoswer/non-hw/muncpl/compost.htm>.

June 23 & 24, 2004

Restoring Greenspace: Using Ecological Enhancements at Regions 2 and 3 Contaminated Sites
Philadelphia, PA
Contact: greenspace@wildlifehc.org or 301-588-8994
<http://www.wildlifehc.org/events/restoringgreenspace.cfm>

July 12-14, 2004

ASTSWMO 2004 State Hazardous Waste Managers Conference
Washington, DC
Contact: Jocelyn Scott (202) 564-4795
<http://www.astswmo.org>

August 16-18, 2004

ASTSWMO 2004 State Superfund Program Managers Symposium
Scottsdale, AZ
Contact: Jocelyn Scott (202) 564-4795
<http://www.astswmo.org>

September 20-22, 2004

Brownfields 2004: "Gateway to Revitalization"
St. Louis, MO
<http://www.brownfields2004.org>

Glossary

AA	Assistant Administrator	OSRE	Office of Site Remediation Enforcement
ATP	Ability to Pay	OSW	Office of Solid Waste
CASES	Corrective Action Smart Enforcement Strategy	OSWER	Office of Solid Waste and Emergency Response
CD	Consent Decree	OUST	Office of Underground Storage Tanks
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act	PCBs	polychlorinated biphenyls
EI	Environmental Indicators	PRPs	Potentially Responsible Parties
EPA	Environmental Protection Agency	RCRA	Resource Conservation and Recovery Act
LUST	Leaking Underground Storage Tank	RI/FS	Remedial Investigation and Feasibility Study
MACT	Maximum Achievable Control Technology	SSC	Superfund State Contracts
MSW	Municipal Solid Waste	SSCBS	Superfund State Contract Billing System
OECA	Office of Enforcement and Compliance Assurance	UST	Underground Storage Tank

cleanupnews

<http://www.epa.gov/compliance/about/offices/osre.html>

CleanupNews is a quarterly publication of EPA's Office of Site Remediation Enforcement, in cooperation with the Office of Superfund Remediation and Technology Innovation, Office of Underground Storage Tanks, and Office of Emergency Prevention, Preparedness and Response. Past issues of CleanupNews can be found at <http://www.epa.gov/compliance/resources/newsletters/cleanupcleanupnews.html>

Richard W. Popino, PhD REM, editor

EPA Review Board; **Elliott Gilberg, Diane Bartosh, Paul Connor, Sandra Connors, Karen Ellenberger, Jeff Heimerman, Kenneth Patterson, Neilima Senjalia, Suzanne Wells**

Anne Politis, Sarah Heberling, DPRA Inc., writers
Lauren Grantham, DPRA Inc., designer

To comment on the newsletter contact Richard W. Popino, PhD REM, at MC-2271A, U.S. EPA, 1200 Pennsylvania Ave., NW, Washington, DC 20460, email:popino.rick@epa.gov.

To receive *CleanupNews* by email, join the listserv at <http://www.epa.gov/compliance/resources/listserv/cleanup.html>.

The print edition of Cleanup News is delivered to subscribers via U.S. Mail and/or electronically, depending on subscriber preference. We also produce an electronic supplement to the Cleanup News print edition. The supplement, *CleanupNews II*, is delivered electronically to subscribers four times a year.

United States
Environmental
Protection Agency
(2771A)
Washington, DC 20460
Official Business
Penalty for Private Use
\$300

FIRST CLASS
POSTAGE & FEES PAID
EPA
PERMIT NO. G-35